

Rule R941-1. Approval of Tollway Development Agreements.

As in effect on _____.

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- KEY
- Date of Enactment or Last Substantive Amendment
- Authorizing, Implemented, or Interpreted Law

R941-1-1. Authority.

(1) The provisions of this rule are authorized by the following grants of rulemaking authority and provisions of Utah Codes: Title 63, Chapter 46a; Title 63, Chapter 56; Title 72, Chapter 2, Section 120; Title 72, Chapter 6, Section 118; and the Public-Private Partnerships for Tollways Act, Utah Code Sections 72-6-201 et seq.

R941-1-2. Definitions.

(1) "Commission" means the Transportation Commission, which is created in Utah Code Ann. Section 72-1-301;

(2) "Department" means the Utah Department of Transportation, which is created in Utah Code Ann. Section 72-1-101;

(3) "'Executive Director" means the Executive Director of the Utah Department of Transportation;

(3) "Tollway Development Agreement" has the meaning described in Utah Code Ann. Section 72-6-202 and Utah Admin. Code R9xx, "Tollway Development Agreements."

R941-1-3. Proposals for Tollway Development Agreements.

(1) The Department shall report to the Commission regarding any unsolicited proposals received and any solicitations issued for tollway development agreements, and shall provide regular status updates to the Commission regarding any such matters.

(2) The Department shall have authority to act on its own behalf and on behalf of the Commission in issuing solicitation and procurement documents for tollway development agreements and in reviewing and evaluating submissions received from proposers.

R941-1-4. Award of Tollway Development Agreements

(1) Following receipt of a recommendation from the Director for award of a tollway development agreement accompanied by the information regarding the proposed agreement required under Utah Code Ann. Section 72-6-206, the Commission shall take one of the following actions:

- (a) Award the tollway development agreement in accordance with the Director's recommendation,
- (b) Reject the Director's recommendation and request that the Department take specified action; or
- (c) Reject the Department's recommendation and direct the Department to terminate the procurement.

R941-1-5. Amendments to Tollway Development Agreements

(1) Following receipt of a request from the Department for approval of any substantial modification or amendment to a tollway development agreement, accompanied by information regarding the modification and specifically identifying any changes in the information required to be provided to the Commission in connection with award of the agreement under Utah Code Ann. Section 72-6-206, the Commission shall determine whether to approve the modification or amendment.